

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, JANUARY 11, 2016 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Fellers; Council Members: Camp, Christensen, Eskridge, Gaylor Baird, Lamm, Raybould; City Clerk: Teresa Meier.

Council Chair Fellers announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

GAYLOR BAIRD Having been appointed to read the minutes of the City Council proceedings of December 21, 2015, reported having done so, found same correct.

Seconded by Lamm & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING

APPLICATION OF LAKES VENTURE, LLC DBA FRESH THYME FARMERS MARKET FOR A CLASS C LIQUOR LICENSE AT 5220 O STREET;

MANAGER APPLICATION OF PATRICIA K. BELL FOR LAKES VENTURE, LLC DBA FRESH THYME FARMERS MARKET AT 5220 O STREET - Tim O'Neill, Harding & Shultz P.C., 121 S 13th St., came forward to take the oath and request approval. Discussion followed.

This matter was taken under advisement.

APPROVING THE USE OF PUBLIC RIGHT-OF-WAY BY ASPEN HEIGHTS CONSTRUCTION, LLC FOR PRIVATE CONDUIT AND FIBER INSTALLATION TO CONNECT NEWLY CONSTRUCTED STUDENT HOUSING BUILDINGS ALONG NORTH 18TH STREET BETWEEN Q AND P STREETS - Scott Opfer, Public Works Engineering Manager, came forward and stated this is to request the installation of two 500 ft. conduit, to connect five student housing buildings.

Leirion Gaylor Baird, Council Member, asked for confirmation there would be no cost to the City for this installation, and about this generating revenue for the City.

Mr. Opfer said correct this would be no cost to the City, they will pay \$725.00 dollars annual rent for using the right-of-way. Discussion followed.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 15032 - APPROVING AN AMENDMENT TO THE ANTELOPE VALLEY REDEVELOPMENT PLAN TO ADD THE "TELEGRAPH DISTRICT PHASE I: 401 BUILDING AND 333 BUILDING PROJECT" TO INCLUDE THE REHABILITATION OF AN EXISTING OFFICE BUILDING AND PARKING GARAGE TO BE USED FOR OFFICE, COMMERCIAL, AND PARKING USES, ON PROPERTY GENERALLY LOCATED BETWEEN M STREET, K STREET, 20TH STREET, AND 21ST STREET AND TO DELETE THE REDEVELOPMENT PROJECT, "21ST & N" - David Landis, Urban Development Director, came forward and stated this is for deciding whether or not a \$15 Million dollar project is consistent with the Downtown Comprehensive Plan, he feels that it is. Mr. Landis said with this project most of this work will be done to the inside of the building. In phase one of the project, Nelnet is planning on using this location for about 600 employees, and there is also a plan to have retail on first floor. Mr. Landis stated over time Telegraph District will be a major redevelopment project for the City in all of its elements.

Leirion Gaylor Baird, Council Member, inquired how many of the positions will be new as apposed to relocated positions.

Mr. Landis stated that he was unable to answer what the numbers would be, he would leave that for the developers to answer. Discussion followed.

Kent Seacrest, 1111 Lincoln Mall, #300, came forward and stated on the first floor of this project, it will have retail shops that will bring business to the area. They are currently making forward progress on this project, and are wanting approval as part of the redevelopment plan. When finished with the project, it will be larger than the West Haymarket and is a game changer for the southeast edge of downtown. Mr. Seacrest stated that there is room for retail, new housing of all types, and it is close to schools in the area.

Terry Heimes, Chief Operating Officer Nelnet, 121 S. 13th St., came forward in support of the Telegraph District, this will allow Nelnet room for growth and to expand. This new district will be used for new and existing positions, but will allow for growth over the entire organization and expand their existing Lincoln Campus. Mr. Heimes stated that several of the changes will be to the inside of the building to make a great working environment for employees.

Carl Eskridge, Council Member, stated that it is an important gateway as people come downtown, and also inquired about the parking for this area.

Clay Smith, Speedway Properties General Partner, 340 Victory Ln., stated that depending on the retailer there would be onsite parking potentially in the garage, along with additional parking across the street. Parking demands are higher for some retail businesses than others.

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Jane Raybould, Council Member, inquired if Nelnet is planning on keeping current campuses. Mr. Smith said yes. Discussion followed.

Trent Fellers, Council Chair, stated that we are in phase one of a massive project, how many more phases there will be.

Mr. Smith stated that the market will determine that, but hopefully a lot. Discussion followed.

Alan Meyer, 4210 Washington St., came forward with questions on when housing would be complete, what are plans for two houses to the west, will the parking be for public or private, and what will happen to the Telephone Museum that is the only one of its kind?

Mr. Smith stated the housing is planned for the second phase, this will start later this year with completion planned for 2017. They have been working with the board of the Museum trying to find a transition plan for the Museum. Mr. Smith stated the parking will depend on what the demands are, they will have some flexibility for the parking. The houses are privately owned and will stay that way until the owners decide to sell. We are planning to use that area for additional parking. Discussion followed.

This matter was taken under advisement.

AMENDING CHAPTER 8.06 OF THE LINCOLN MUNICIPAL CODE, AIR POLLUTION, BY AMENDING SECTION 8.06.090, RELATING TO INSPECTIONS; HOW CONDUCTED, TO ALLOW INSPECTIONS TO BE CONDUCTED AT ANY REASONABLE TIME - Judy Halstead, Health Department, came forward and stated currently there are 91 businesses that they do air pollution inspections on, only 38 are unannounced visits. The EPA has requested they add the additional 53 to the unannounced visits list. The code currently states they need to give prior notice for inspections, this is what needs to be amended. Mr. Halstead stated that all of the businesses have been notified of the change with the EPA, and they are currently working with these businesses. Discussion followed.

This matter was taken under advisement.

AMENDING CHAPTER 20.06 OF THE LINCOLN MUNICIPAL CODE BY ADDING A NEW SECTION NUMBERED 20.06.235 TO CREATE THE BUILDING CODE TASK FORCE AND ADDING A NEW SECTION NUMBERED 20.06.037 TO CREATE THE CODE STUDY COMMITTEE - Chad Blahak, Building & Safety Director, came forward and stated these were left out of the final versions of the code that was adopted late last fall and need to be added in.

Cyndi Lamm, Council Member, inquired if this would change the process.

Mr. Blahak said not at all. Discussion followed.

This matter was taken under advisement.

AMENDING CHAPTER 2.06 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE MAYOR'S AUTHORITY TO EXECUTE CONTRACTS BY ADDING A NEW SECTION NUMBERED 2.06.120 REQUIRING COUNCIL APPROVAL OF NON-BID CONTRACTS ABOVE \$50,000.00 - Jon Camp, Council Member, stated he brought this legislation forward as a way look at the process of accountability and transparency. Mr. Camp stated this legislation has three levels, first a reporting process, second it would codify, and third the only time the City Council would be involved is if the Mayor chose not follow the process. Mr. Camp stated that he started this process by asking the question to Mr. Kirkpatrick if this was viable under the City Charter and thought that this was. Mr. Camp was inquiring on what had changed since the starting of this legislation last August.

Jeff Kirkpatrick, City Attorney, stated at that time there were questions. One of the questions was from August in regards to DO's and EO's. Mr. Kirkpatrick really felt that the starting point for this new legislation was with a contract that came forward, Mr. Camp inquiring about limits the Mayor has for signing of EO's and DO's before needing to go to City Council. Mr. Kirkpatrick state that he informed Mr. Camp that under the City Charter there was no limitation on the amount the Mayor could sign for as long as it was within the budget. Mr. Kirkpatrick stated that at this time he did not look into this matter any farther, he just drafted what Mr. Camp requested. Discussion followed.

Mr. Camp stated that more recently he asked Mr. Kirkpatrick if he could come up with new legislation that would fit the City Charter. Mr. Camp did received a new two page legislation late last week on this matter. Discussion followed.

Mr. Kirkpatrick stated as they analyzed the interaction between the Charter and the contract process, it was discovered that it is changing of the process and setting up the structure in Mr. Camps legislation that interferes with what the City Charter states. Discussion followed.

Jane Raybould, Council Member, inquired about the prior memo that was sent out talking about the authority of City Council and the authority of the Mayor as regards to what is spelled out in the Charter.

Mr. Kirkpatrick stated that it goes back to 1996 memorandum that was written by Bill Austin, that states you cannot interfere with the Executive Power of the Mayor. Discussion followed.

Mr. Camp stated that there will be continued meetings with the Mayor on this legislation, and has asked that this bill be put on indefinite pending. Discussion followed.

Mike Morosin, 1500 N. 15th St., came forward and stated that he also feels that there needs to be more transparency and that City Council should take part in the process. Discussion followed.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

ACCEPTING AND APPROVING THE 2016-2017 WORK PLAN BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE HEALTH DEPARTMENT'S SECTION 105 AIR QUALITY PROGRAM GRANT - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89439 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached Work Plan for LLCHD: Section 105 Air Quality Program between the Nebraska Department of Environmental Quality and the Lincoln-Lancaster County Health Department regarding the FFY 2016-2017 Work Plan for Lincoln- Lancaster County Health Department Section 105 Air Quality Program, is hereby accepted and approved.

The City Clerk is directed to return an executed copy of this Resolution to Judy Halstead, Director of the Lincoln/Lancaster County Health Department for transmittal to the Nebraska Department of Environmental Quality.

Introduced by Carl Eskridge

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPOINTING MARK ORR TO THE VETERANS MEMORIAL GARDEN ADVISORY COUNCIL FOR A TERM EXPIRING NOVEMBER 1, 2017 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89440 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the appointment of Mark Orr to the Veterans Memorial Garden Advisory Council for a term expiring November 1, 2017 is hereby approved.

Introduced by Carl Eskridge

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

REAPPOINTING DIANE BARTELS, WILLIAM A. BOWMAN, WILLIAM C. JACKSON, JR., AND RON LECHNER TO THE VETERANS MEMORIAL GARDEN ADVISORY COUNCIL FOR TERMS EXPIRING NOVEMBER 1, 2018 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89441 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the reappointments of Diane Bartels, William A. Bowman, William C. Jackson, Jr., and Ron Lechner to the Veterans Memorial Garden Advisory Council for terms expiring November 1, 2018, are hereby approved.

Introduced by Carl Eskridge

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

APPROVING THE DISTRIBUTION OF FUNDS REPRESENTING INTEREST EARNINGS ON SHORT-TERM INVESTMENTS OF IDLE FUNDS DURING THE MONTH ENDED NOVEMBER 30, 2015 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89442 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That during the month ended November 30, 2015 \$114,285.47 was earned from the investments of "IDLE FUNDS". The same is hereby distributed to the various funds on a pro-rata basis using the balance of each fund and allocating a portion of the interest on the ratio that such balance bears to the total of all fund balances.

Introduced by Leirion Gaylor Baird

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

RESOLUTION APPROVING THE CITY OF LINCOLN'S INVESTMENT ACTIVITY REPORT FROM THE CITY TREASURER FOR THE FIRST QUARTER, FISCAL YEAR, 2015-2016 - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89443 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:
That the Investment Activity report and attached list of investments be confirmed and approved, and the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council.

Introduced by Leirion Gaylor Baird

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

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ASSESSMENT RESOLUTION FOR WATER DISTRICT 1206 FOR BOARD OF EQUALIZATION TO BE HELD MONDAY, JANUARY 25, 2016 AT 5:30 P.M. - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89444 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the cost of the improvements in Water District No. 1206 including the following streets and alleys and real estate to wit: 'H' Street from 26th to 27th Streets and costs incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of Water District No. 1206", and made a part hereof; that the cost of said improvements is the sum of \$ 76,985.97; that the property set forth in the proposed Distribution of Assessment is specially benefitted more than the cost of said improvements; that each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said improvements: that the cost of said improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of Water District No. 1206.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 25th day of January, 2016, at 5:30 P.M. with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Leirion Gaylor Baird

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ASSESSMENT RESOLUTION FOR WATER DISTRICT 1207 FOR BOARD OF EQUALIZATION TO BE HELD MONDAY, JANUARY 25, 2016 AT 5:30 P.M. - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89445 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the cost of the improvements in Water District No. 1207 including the following streets and alleys and real estate to wit: Goodhue Boulevard from 'A' to 'B' Streets and costs incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of Water District No. 1207", and made a part hereof; that the cost of said improvements is the sum of \$109,170.91; that the property set forth in the proposed Distribution of Assessment is specially benefitted more than the cost of said improvements; that each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said improvements: that the cost of said improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of Water District No. 1207.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 25th day of January, 2016, at 5:30 P.M. with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Leirion Gaylor Baird

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ASSESSMENT RESOLUTION FOR PAVING DISTRICT 2632 FOR BOARD OF EQUALIZATION TO BE HELD MONDAY, JANUARY 25, 2016 AT 5:30 P.M. - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89446 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the cost of the improvements in Paving District No. 2632 including the following streets and alleys and real estate to wit: 1st Street from 'P' to 'Q' Streets and 'Q' Street from 1st to 2nd Streets and costs incidental thereto, be and the same is hereby assessed upon the property in said district described in the proposed Distribution of Assessment attached to this resolution, marked "Proposed Distribution of Assessment of Paving District No. 2632", and made a part hereof; that the cost of said improvements is the sum of \$ 699,987.48; that the property set forth in the proposed Distribution of Assessment is specially benefitted more than the cost of said improvements; that each piece and parcel of property described is specially benefitted in the amount set forth therein, and no property is taxed more than the special benefits accruing thereto by reason of said improvements: that the cost of said improvements is hereby apportioned and assessed upon the several pieces and parcels of property in said district in the manner and amount set forth in the proposed Distribution of Assessment of Paving District No. 2632.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby directed to record this resolution in the minutes of the City Council with the vote thereon by yeas and nays.

AND BE IT FURTHER RESOLVED that the City Council sit as Board of Equalization for the purpose of equalizing said assessments on the 25th day of January, 2016, at 5:30 P.M. with adjournments from day to day until the work of equalizing said assessments shall be completed.

Introduced by Leirion Gaylor Baird

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

AFFIDAVIT OF MAILING FOR WATER DISTRICT 1206 FOR BOARD OF EQUALIZATION TO BE HELD MONDAY, JANUARY 25, 2016 AT 5:30 P.M. - CLERK presented said report which was placed on file in the Office of the City Clerk.

AFFIDAVIT OF MAILING FOR WATER DISTRICT 1207 FOR BOARD OF EQUALIZATION TO BE HELD MONDAY, JANUARY 25, 2016 AT 5:30 P.M. - CLERK presented said report which was placed on file in the Office of the City Clerk.

AFFIDAVIT OF MAILING FOR PAVING DISTRICT 2632 FOR BOARD OF EQUALIZATION TO BE HELD MONDAY, JANUARY 25, 2016 AT 5:30 P.M. - CLERK presented said report which was placed on file in the Office of the City Clerk.

LINCOLN ELECTRIC SYSTEM FINANCIAL & OPERATING STATEMENT FOR NOVEMBER, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. (40)

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON DECEMBER 14, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTION AND ORDINANCES PASSED BY CITY COUNCIL ON DECEMBER 21, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

PETITIONS & COMMUNICATIONS

SETTING HEARING DATE OF MONDAY, JANUARY 25, 2016 AT 5:30 P.M. ON THE MANAGER APPLICATIONS OF DEAN F. RASMUSSEN FOR PRAIRIE LIFE FITNESS, LLC DBA PRAIRIE LIFE CENTER AT 1305 S 70TH ST. AND PRAIRIE LIFE CENTER AT 330 W P STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89447 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, December 14, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Applications of Dean F. Rasmussen for Prairie Life Fitness, LLC dba Prairie Life Center at 1305 S 70th St. and Prairie Life Center at 330 W P Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

REFERRED TO THE PLANNING DEPARTMENT:

CHANGE OF ZONE NO. 15039, REQUESTED BY HISTORIC PRESERVATION COMMISSION, TO DESIGNATE THE BETZ-VANANDEL HOUSES AS HISTORIC LANDMARKS, ON PROPERTY GENERALLY LOCATED AT 1037-1039 AND 1045 SOUTH 13TH STREET.

SPECIAL PERMIT NO. 15075, REQUESTED BY HISTORIC PRESERVATION COMMISSION, TO ADJUST THE PARKING, HEIGHT AND LOT REQUIREMENTS, UNDER LMC 27-63.400--SPECIAL PERMIT FOR HISTORIC PRESERVATION, IN ORDER TO SUBDIVIDE THE PROPERTY INTO TWO LOTS SO THAT THE TWO PRINCIPAL BUILDINGS ARE ON SEPARATE LOTS, ON PROPERTY GENERALLY LOCATED AT 1037-1039 AND 1045 SOUTH 13TH STREET.

SPECIAL PERMIT NO. 15074, REQUESTED BY TOD AND SHELLY STERTZ, TO PLACE A TEMPORARY MOBILE HOME FOR RESIDENTIAL OCCUPANCY, FOR UP TO ONE YEAR, DURING CONSTRUCTION OF NEW SINGLE-FAMILY RESIDENCE, ON PROPERTY GENERALLY LOCATED AT 24311 SOUTH 68TH STREET.

SPECIAL PERMIT NO. 1869C, REQUESTED BY PAT & ALAN RIGGINS, TO AMEND THE KNIGHTS COURT COMMUNITY UNIT PLAN TO ADJUST THE REAR YARD SETBACK FOR THE INSTALLATION OF A COVERED PATIO ON PROPERTY WITHIN THE KNIGHTS COURT COMMUNITY UNIT PLAN, GENERALLY LOCATED AT SOUTH STREET AND KNIGHTS LANE.

COMBINED SPECIAL PERMIT USE PERMIT NO. 11H, REQUESTED BY RED CAPITAL MANAGEMENT, LLC, TO AMEND SPECIAL PERMIT/USE PERMIT NO. 11 TO REFLECT THE REDEVELOPMENT OF SEVERAL AREAS OF THE SHOPPING CENTER, INCLUDING WAIVERS TO TITLE 27 OF THE LINCOLN MUNICIPAL CODE AND DESIGN STANDARDS TO INCREASE THE BUILDING HEIGHT FOR A NEW COMMERCIAL BUILDING AND PARKING GARAGE IN THE NORTHEAST AREA OF THE SHOPPING CENTER, REDUCE THE PARKING REQUIREMENT, AND ALLOW HORIZONTAL CURVES ON A PRIVATE ROADWAY TO BE LESS THAN 150 FEET, ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF SOUTH 27TH STREET AND PINE LAKE ROAD.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

ADMINISTRATIVE AMENDMENT NO. 15125 TO USE PERMIT NO. 107E, FIRETHORN OFFICE PARK, APPROVED BY THE ACTING PLANNING DIRECTOR ON DECEMBER 18, 2015, REQUESTED BY OLSSON ASSOCIATES, TO REVISE THE LAND USE TABLE TO ALLOW EITHER OFFICE AND/OR RESIDENTIAL HEALTH CARE FACILITY USES ON LOT 6, GENERALLY LOCATED AT S. 84TH STREET AND FIRETHORN LANE.

ADMINISTRATIVE AMENDMENT NO. 15089 TO PINE LAKE HEIGHTS SOUTH 12TH ADDITION, APPROVED BY THE ACTING PLANNING DIRECTOR ON DECEMBER 23, 2015, REQUESTED BY NANCY LOFTIS, TO EXTEND THE TIME FOR TWO YEARS TO INSTALL A SIDEWALK ADJACENT TO LOT 2, GENERALLY LOCATED AT S. 27TH STREET AND JAMIE LANE.

ADMINISTRATIVE AMENDMENT NO. 15127 TO NORTHBANK PRESERVE 2ND ADDITION FINAL PLAT, APPROVED BY THE ACTING PLANNING DIRECTOR ON DECEMBER 28, 2015, REQUESTED BY REGA ENGINEERING, TO ACCEPT THE AFFIDAVIT OF SURVEYOR TO CORRECT TYPOGRAPHICAL ERRORS ON THE FINAL PLAT, GENERALLY LOCATED AT N. 56TH STREET AND ALVO ROAD.

ADMINISTRATIVE AMENDMENT NO. 15117 TO STONE BRIDGE CREEK 5TH ADDITION, APPROVED BY THE ACTING PLANNING DIRECTOR ON DECEMBER 29, 2015, REQUESTED BY ENGINEERING DESIGN CONSULTANTS, TO EXTEND THE TIME FOR TWO YEARS TO INSTALL A SIDEWALKS, GENERALLY LOCATED AT REDSTONE ROAD AND HUMPHREY AVENUE.

ADMINISTRATIVE AMENDMENT NO. 15129 TO THE WOODLANDS AT YANKEE HILL 19TH ADDITION FINAL PLAT, APPROVED BY THE ACTING PLANNING DIRECTOR ON DECEMBER 30, 2015, REQUESTED BY REGA ENGINEERING, TO ACCEPT THE AFFIDAVIT OF SURVEYOR TO CORRECT THE LIEN HOLDER INSTRUMENT NUMBER ON THE FINAL PLAT, GENERALLY LOCATED AT S. 70TH STREET AND YANKEE HILL ROAD.

LIQUOR RESOLUTIONS

APPLICATION OF LAKES VENTURE, LLC DBA FRESH THYME FARMERS MARKET FOR A CLASS C LIQUOR LICENSE AT 5220 O STREET - CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89448 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Lakes Venture, LLC dba Fresh Thyme Farmers Market for a Class "C" liquor license at 5220 O Street, Lincoln, Nebraska, for the license period ending October 31, 2016, be approved with the condition that:

1. Applicant must successfully complete the responsible beverage manager training course required by Section 5.04.124 of the Lincoln Municipal Code prior to receiving the liquor license from the City Clerk.

2. All employees must possess a valid Responsible Beverage Server/Seller Permit as required by Section 5.04.124 of the Lincoln Municipal Code.

3. The premises must comply in every respect with all city and state regulations.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

MANAGER APPLICATION OF PATRICIA K. BELL FOR LAKES VENTURE, LLC DBA FRESH THYME FARMERS MARKET AT 5220 O STREET- CLERK read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-89449 WHEREAS, Lakes Venture, LLC dba Fresh Thyme Farmers Market located at 5220 O Street, Lincoln, Nebraska has been approved for a Retail Class "C" liquor license, and now requests that Patricia K. Bell be named manager;

WHEREAS, Patricia K. Bell appears to be a fit and proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that Patricia K. Bell be approved as manager of this business for said licensee.

The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

PUBLIC HEARING - RESOLUTIONS

APPROVING THE USE OF PUBLIC RIGHT-OF-WAY BY ASPEN HEIGHTS CONSTRUCTION, LLC FOR PRIVATE CONDUIT AND FIBER INSTALLATION TO CONNECT NEWLY CONSTRUCTED STUDENT HOUSING BUILDINGS ALONG NORTH 18TH STREET BETWEEN Q AND P STREETS - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89450 WHEREAS, Aspen Heights Construction, LLC has submitted an application for a permit to use the public right-of-way along North 18th Street between Q and P Streets for the purpose of installing private conduit and fiber optic cable to connect newly constructed student housing buildings; and

WHEREAS, said applicant has submitted a letter of application and a site plan which are attached hereto, marked as Exhibit "A" and Exhibit "B" respectively, and made a part of this resolution by reference, to use the public right-of-way as above described; and

WHEREAS, said applicant has complied with all of the provisions of Chapter 14.53 of the Lincoln Municipal Code pertaining to such use.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the aforesaid application of Aspen Heights Construction, LLC, hereinafter referred to as Permittee, to use the public right-of-way along North 18th Street between Q and P Streets as shown on Exhibit "B", for the purpose of installing fiber optic cable be granted as a privilege only by virtue of and subject to substantial compliance with the site plan, the letter of application, and the following terms and conditions, to wit:

1. That the permission herein granted is subject to all the terms and conditions of Chapter 14.53 of the Lincoln Municipal Code including those provisions relating to the posting of a continuing bond in the amount of \$5,000 and the filing of a certificate of insurance evidencing a commercial or comprehensive general liability policy, or an acceptable substitute policy form, with a minimum combined single limit of \$500,000 aggregate for any one occurrence and naming the City as additional insured.

2. That said use shall conform to the application, the site plan filed therewith, and with all applicable City ordinances and regulations.

3. The Permittee, its successors, or assigns shall save and keep the City free and harmless from any and all loss or damages or claims for damages arising from or out of the use of the public way requested herein.

4. The work shall be constructed in accordance with plans and specifications approved by the Department of Public Works and Utilities. The cable, where it is underground, shall be laid to a minimum depth of 3½ feet from the top of the cable to the surface of the ground. All land surfaces and all pavement shall be restored to their original condition after the work is completed on each segment of the project. "As built" drawings shall be furnished to the City by the Permittee to show the precise locations, depths, and nature of all materials installed in accordance with the permit. The City shall have the right at any time when, in its judgment, it becomes necessary or advisable, to require a change of location of said cable as a matter of safety, or on account of change of grade, resurfacing, repair, reconstruction of any street, alley, sidewalk, or other public ground, or the construction of any structure thereon, or for any other reason, all of which shall be done at the cost and expense of the Permittee in a good and workmanlike manner.

5. The Permittee shall pay to the City an annual rental fee for the use and occupancy of the space beneath said public street occupied by such use which rental fee is currently \$0.50 per lineal foot of space occupied underneath the public street, alley, sidewalk, or other public ground. Such rental is based upon the number of conduits being placed within the right-of-way. In addition, the Permittee shall pay to the City an annual rental fee for the use and occupancy of space of the surface occupied by such use which rental fee is currently \$1.00 per square foot or \$3.00 per cubic foot. Such space is based upon the number of surface electrical "pull boxes" placed in the right-of-way.

All payments shall be made to the City Treasurer and shall be due and payable on the 1st day of October of each year; provided, however, the amount of the initial payment shall be prorated from the date of approval of this permit to the 1st day of October, 2016 and payment shall be due and payable on October 1st thereafter.

Any such rent shall become delinquent on the 1st day of December of each year and such delinquent rent shall bear interest at the rate of 1% per month until paid and if such rent is not paid for six months or more after such delinquent date, a penalty of 5% shall be added thereto in addition to said interest.

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6. Any additions, changes, modifications, or amendments of the uses permitted herein shall require a new permit or other authorization.

7. That all work done under the authority of this resolution shall be subject to the inspection and approval of the Director of Public Works of the City of Lincoln.

8. The terms and conditions of this resolution shall be binding and obligatory upon the above-named Permittee, its successors and assigns.

9. That within thirty (30) days from the adoption of this resolution, and before commencing any construction under the provisions hereof, the Permittee shall file an unqualified written acceptance of all the terms and conditions of this resolution with the City Clerk. Failure to do so will be considered a rejection hereof and all privileges and authorities hereunder granted shall terminate.

Introduced by Carl Eskridge

Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

COMP. PLAN CONFORMANCE 15032 - APPROVING AN AMENDMENT TO THE ANTELOPE VALLEY REDEVELOPMENT PLAN TO ADD THE "TELEGRAPH DISTRICT PHASE I: 401 BUILDING AND 333 BUILDING PROJECT" TO INCLUDE THE REHABILITATION OF AN EXISTING OFFICE BUILDING AND PARKING GARAGE TO BE USED FOR OFFICE, COMMERCIAL, AND PARKING USES, ON PROPERTY GENERALLY LOCATED BETWEEN M STREET, K STREET, 20TH STREET, AND 21ST STREET AND TO DELETE THE REDEVELOPMENT PROJECT, "21ST & N" - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89451 WHEREAS, the City Council has previously adopted the Antelope Valley Redevelopment Plan (hereinafter the "Plan") including plans for various redevelopment projects within the Redevelopment Plan area in accordance with the requirements and procedures of the Nebraska Community Development Law; and now desires to modify said Plan by establishing Project Q, the "Telegraph District Phase I: 401 Building and 333 Building Project" for the redevelopment of approximately 7 acres, to include the rehabilitation of an existing office building and parking garage to be used for office, commercial, and parking uses, generally located between K Street, M Street, 20th Street, and 21st Street and to delete Project N, "21st & N Redevelopment Project: The Exchange at Antelope Valley", which did not occur; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk modifications to the Redevelopment Plan contained in the document entitled the "Amendment to the Antelope Valley Redevelopment Plan, Telegraph District Phase I: 401 Building and 333 Building Project" which is attached hereto, marked as Attachment "A", and made a part hereof by reference, and has reviewed said plan and has found that it meets the conditions set forth in Neb. Rev. Stat. § 18-2113 (Reissue 2012); and

WHEREAS, on November 20, 2015, a notice of public hearing was mailed, postage prepaid, to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose of the public hearing to be held on December 2, 2015 before the Lincoln City-Lancaster County Planning Commission regarding the proposed amendments to the Redevelopment Plan to add Project Q, the Telegraph District Phase I: 401 Building and 333 Building Project and to delete Project N, 21st & N Redevelopment Project: The Exchange at Antelope Valley, a copy of said notice and list of said governing bodies and registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, the proposed Amendments to the Antelope Valley Redevelopment Plan to add Project Q, the Telegraph District Phase I: 401 Building and 333 Building Project and to delete Project N, 21st & N Redevelopment Project: The Exchange at Antelope Valley were submitted to the Lincoln-Lancaster County Planning Commission for review and recommendations, and, on December 2, 2015, the Lincoln-Lancaster County Planning Commission held a public hearing relating to the Plan Amendments and found the Plan Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on December 4, 2015 a notice of public hearing was mailed, postage prepaid, to the foregoing list of governing bodies and registered neighborhood associations setting forth the time, date, place, and purpose of the public hearing before the City Council to be held on January 11, 2016 regarding the proposed amendments to the Redevelopment Plan to add Project Q, the Telegraph District Phase I: 401 Building and 333 Building Project and to delete Project N, 21st & N Redevelopment Project: The Exchange at Antelope Valley, a copy of said notice having been attached hereto as Attachment "D"; and

WHEREAS, on December 11, 2015 and December 18, 2015, a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place, and purpose of the public hearing to be held on January 11, 2016 regarding the proposed amendments to the Antelope Valley Redevelopment Plan to add Project Q, the Telegraph District Phase I: 401 Building and 333 Building Project and to delete Project N, 21st & N Redevelopment Project: The Exchange at Antelope Valley, a copy of such notice having been attached hereto and marked as Attachment "E"; and

WHEREAS, on January 11, 2016 in the City Council chambers of the County-City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed modifications to the Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed modifications to the redevelopment plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed modifications to the redevelopment plan.

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the Antelope Valley Redevelopment Project is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will promote the general health, safety, and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.
2. That incorporating the Telegraph District Phase I: 401 Building and 333 Building Project into the Antelope Valley Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law.
3. That the Telegraph District Phase I: 401 Building and 333 Building Project would not be economically feasible without the use of tax-increment financing.
4. That the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City Council as the governing body for the City of Lincoln and have been found to be in the long-term best interest of the City of Lincoln.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. That the document attached hereto as Attachment "A" adding Project Q, the Telegraph District Phase I: 401 Building and 333 Building Project and deleting Project N, 21st & N Redevelopment Project: The Exchange at Antelope Valley from the Antelope Valley Redevelopment Plan, is hereby accepted and approved by the City Council as the governing body for the City of Lincoln.
2. That the Urban Development Director, or his authorized representative, is hereby authorized and directed to take all steps necessary to implement the provisions of said Redevelopment Plan as they relate to the above-described modifications.
3. That the Telegraph District Phase I: 401 Building and 333 Building Project Area as described and depicted in the Plan Amendment is the Redevelopment Project Area comprising the property to be included in the area subject to the tax increment provision authorized in the Nebraska Community Development Law.
4. That the Finance Director is hereby authorized and directed to cause to be drafted and submitted to the City Council any appropriate ordinances and documents needed for the authorization to provide necessary funds including Community Improvement Financing in accordance with the Community Development Law to finance related necessary and appropriate public acquisitions, improvements, and other activities set forth in said Plan Amendment to the Antelope Valley Redevelopment Plan.

Introduced by Carl Eskridge

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

AMENDING CHAPTER 8.06 OF THE LINCOLN MUNICIPAL CODE, AIR POLLUTION, BY AMENDING SECTION 8.06.090, RELATING TO INSPECTIONS; HOW CONDUCTED, TO ALLOW INSPECTIONS TO BE CONDUCTED AT ANY REASONABLE TIME - Clerk read an ordinance, introduced by Carl Eskridge, amending Chapter 8.06 of the Lincoln Municipal Code relating to Air Pollution by amending Section 8.06.090 Inspections; How Conducted to allow inspections to be conducted at any reasonable time; and repealing Section 8.06.090 of the Lincoln Municipal Code as hitherto existing, the second time.

AMENDING CHAPTER 20.06 OF THE LINCOLN MUNICIPAL CODE BY ADDING A NEW SECTION NUMBERED 20.06.235 TO CREATE THE BUILDING CODE TASK FORCE AND ADDING A NEW SECTION NUMBERED 20.06.037 TO CREATE THE CODE STUDY COMMITTEE - Clerk read an ordinance, introduced by Carl Eskridge, amending Chapter 20.06 of the Lincoln Municipal Code relating to the Lincoln Building Code to create an advisory task force to advise the Mayor on changes to and development of the Building Code and to provide for the appointment and terms of the task force members, by adding a new section 20.06.235 to create the Building Code Task Force; adding a new Section 20.06.237 to create the Code Study Committee to advise the Mayor on the suitability of proposed changes to code or ordinances found in Lincoln Municipal Code Chapters 19.03, 20.06, 20.10, 21.05, 23.10, 24.01, 24.05, 25.04, and 25.10, the second time.

ORDINANCES - 3rd READING & RELATED RESOLUTIONS

AMENDING CHAPTER 2.06 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE MAYOR'S AUTHORITY TO EXECUTE CONTRACTS BY ADDING A NEW SECTION NUMBERED 2.06.120 REQUIRING COUNCIL APPROVAL OF NON-BID CONTRACTS ABOVE \$50,000.00. (11/16/15 - DELAY ACTION W/ PUBLIC HEARING 3 WEEKS TO 12/07/15) (12/7/15 - DELAYED ACTION W/ PUBLIC HEARING 1 WEEK TO 12/14/15) - PRIOR to reading:

CAMP Moved to place on pending, no date certain.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

CLERK Read an ordinance, introduced by Carl Eskridge, amending chapter 2.06 of the Lincoln Municipal Code relating to the Mayor's Authority to execute contracts by adding a new section numbered 2.06.120 requiring Council approval of non-bid contracts above \$50,000.00, the third time.

ANNEXATION 15011 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 48.92 ACRES AND ADJACENT O STREET RIGHT-OF-WAY ON PROPERTY GENERALLY LOCATED AT SOUTH 90TH STREET AND O STREET. (RELATED ITEMS: 15-136, 15-137) (REQUEST TO DELAY PUBLIC HEARING TO 12/7/15) (11/23/15 - PUBLIC HEARING DELAYED TO 12/07/15) - CLERK read an ordinance, introduced by Cyndi Lamm, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

LAMM Moved to pass the ordinance as read.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20280**, is recorded in Ordinance Book #30.

CHANGE OF ZONE 15028 - APPLICATION OF THE OWNERS FOR APPROVAL OF A CHANGE OF ZONE REZONING APPROXIMATELY 48.92 ACRES FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT; DESIGNATING SAID PROPERTY AS A PLANNED UNIT DEVELOPMENT DISTRICT; AND FOR APPROVAL OF A DEVELOPMENT PLAN WHICH PROPOSES R-3, R-5 AND B-2 USES AND MODIFICATIONS TO THE ZONING ORDINANCE AND SUBDIVISION REGULATIONS. (RELATED ITEMS: 15-136, 15-137) (REQUEST TO DELAY PUBLIC HEARING TO 12/7/15) (11/23/15 - PUBLIC HEARING DELAYED TO 12/07/15) - CLERK read an ordinance, introduced by Cyndi Lamm, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.02 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

LAMM Moved to pass the ordinance as read.

Seconded by Christensen & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20281**, is recorded in Ordinance Book #30.

ANNEXATION 14004 - AMENDING ORDINANCE NO. 20125 TO CORRECTLY ASSIGN THE LAND ANNEXED TO CITY COUNCIL DISTRICT #2 - CLERK read an ordinance, introduced by Roy Christensen, amending Ordinance No. 20125 passed by the City Council of the City of Lincoln, Nebraska on January 5, 2015 annexing a part of Lot 68 I.T. located in the Southwest Quarter of Section 27, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska, into the corporate limits boundary of the City of Lincoln and correctly assigning the annexed land from City Council District #4 to City Council District #2, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Gaylor Baird & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20282**, is recorded in Ordinance Book #30.

APPROVING THE TRANSFER OF FUNDS FROM APPROVED APPROPRIATIONS INTO A NEW PROJECT FOR A COMPREHENSIVE PWU ASSET MANAGEMENT PROGRAM. (RELATED ITEMS 15-155, 15R-248) - CLERK read an ordinance, introduced by Roy Christensen, approving the transfer of appropriations between certain capital improvement projects within the Water Fund, Wastewater Fund, Solid Waste Fund, and Street Construction Fund for the Public Works & Utilities Department, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Raybould & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20283**, is recorded in Ordinance Book #30.

ANNEXATION 15013 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 72.5 ACRES OF PROPERTY GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF SOUTH 84TH STREET AND YANKEE HILL ROAD - CLERK read and ordinance,

introduced by Roy Christensen, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Lamm & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20284**, is recorded in Ordinance Book #30.

CHANGE OF ZONE 05068E - APPLICATION OF R.C. KRUEGER DEVELOPMENT, TO AMEND THE WOODLANDS AT YANKEE HILL PLANNED UNIT DEVELOPMENT FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT OVER APPROXIMATELY 82.65 ACRES OF LAND; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND DESIGN STANDARDS TO ALLOW FOR THE DEVELOPMENT OF UP TO 1,185 TOTAL DWELLING UNITS AND UP TO 744,000 SQUARE FEET OF COMMERCIAL FLOOR AREA, ON PROPERTY GENERALLY LOCATED BETWEEN 70TH STREET AND 84TH STREET, SOUTH OF YANKEE HILL ROAD. (RELATED ITEMS: 15-152, 15-153) - CLERK read and ordinance, introduced by Roy Christensen, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Lamm & carried by the following vote: AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

The ordinance, being numbered **#20285**, is recorded in Ordinance Book #30.

RESOLUTIONS - 1ST READING

APPOINTING MELISSA MARSH TO THE VETERANS MEMORIAL GARDEN ADVISORY COUNCIL FOR A TERM EXPIRING NOVEMBER 1, 2017. (*CONSENT*)

APPROVING A MULTI-YEAR CONTRACT BETWEEN THE CITY OF LINCOLN ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND THE CENTER FOR PUBLIC HEALTH PRACTICE AT OHIO STATE UNIVERSITY TO USE AN ON-LINE TRAINING RESOURCE FOR BASIC PUBLIC HEALTH CLASSES FOR THE TERM OF DECEMBER 20, 2015 THROUGH NOVEMBER 28, 2017. (*CONSENT*)

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND OPTICS PLANET, INC. FOR THE ANNUAL SUPPLY OF HI-VIS PARKAS, PURSUANT TO QUOTE NO. 5221, FOR A FOUR YEAR TERM. (*CONSENT*)

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND DELL MARKETING, L.P. FOR COMPUTER EQUIPMENT (DESKTOPS, LAPTOPS, TABLETS, SERVERS AND STORAGE), INCLUDING RELATED PERIPHERALS & SERVICES, PURSUANT TO MINNESOTA NASPO VALUEPOINT MASTER AGREEMENT MNWNC-108, FOR A TERM OF JANUARY 1, 2016 THROUGH MARCH 31, 2017 IN THE AMOUNT OF \$60,000.00. (*CONSENT*)

APPROVING KELLI'S, LLC DBA KELLI'S PUB AS A KENO SATELLITE SITE AT 1318 NORTH 66TH STREET. (*CONSENT*)

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF DECEMBER 1-31, 2015.

PRE-EXISTING USE PERMIT 3AF - APPLICATION OF STARWOOD RETAIL PARTNERS TO AUTHORIZE EXPANSION OF GATEWAY MALL BY APPROXIMATELY 70,000 SQUARE FEET WITH WAIVERS TO THE ZONING ORDINANCE TO REDUCE THE PARKING REQUIREMENT AND TO INCREASE THE BUILDING HEIGHT ON PROPERTY GENERALLY LOCATED AT 6100 O STREET.

APPROVING THE APPOINTMENT OF RANDALL JONES AS THE DIRECTOR OF AGING PARTNERS EFFECTIVE JANUARY 26, 2016.

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (as required)

CHANGE OF ZONE 15030 - APPLICATION OF DAN DALLMAN FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO B-3 COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 711 AND 725 SOUTH STREET - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown, the first time.

APPROVING A DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN THE CITY OF LINCOLN AND DANNIEL L. DALLMAN, TRUSTEE OF THE DANNIEL L. DALLMAN REVOCABLE TRUST AND REBECCA L. DALLMAN, TRUSTEE OF THE REBECCA L. DALLMAN REVOCABLE TRUST TO RESTRICT USE OF THE PROPERTY UNDER THE PROPOSED CHANGE OF ZONE NO. 15030 ON PROPERTY GENERALLY LOCATED AT 711 AND 725 SOUTH STREET.

CHANGE OF ZONE 15038 - APPLICATION OF IBEW LOCAL UNION #265 FOR A CHANGE OF ZONE FROM H-3 HIGHWAY COMMERCIAL DISTRICT TO O-3 OFFICE PARK DISTRICT ON PROPERTY GENERALLY LOCATED AT 6200 SOUTH 14TH STREET - CLERK read an ordinance, introduced by Leirion Gaylor Baird, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown, the first time.

USE PERMIT 15015 - APPLICATION OF IBEW LOCAL UNION #265 FOR A USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A NEW 8,400 SQUARE FOOT BUILDING FOR A MEETING HALL AND OFFICES, WITH A WAIVER TO SETBACKS, ON PROPERTY GENERALLY LOCATED AT 6200 SOUTH 14TH STREET.

OPEN MICROPHONE

Jane Svaboda, no address given, came forward with comments on various issues.
This matter was taken under advisement.

Mike Pate, Electric Guard Dog, LLC, 3131 Hayward St., Columbia, South Carolina, came forward and stated he is requesting a change to the LMC, to allow the use of Electric Fences in the City of Lincoln. Mr. Pate stated they have had success passing new laws in California, Iowa and Omaha on the use of Electric Fencing, and that he would like any help that the City Council could give on speeding up this matter.

This matter was taken under advisement.

ADJOURNMENT

4:10 P.M.

CAMP Moved to adjourn the City Council Meeting of January 11, 2016.
Seconded by Raybould & carried by the following vote; AYES: Camp, Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None.

Teresa Meier, City Clerk

Rhonda Bice, Office Specialist